



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS,
TRIBAL AND PUBLIC
AFFAIRS

March 13, 2013

Mr. Dean Moberg, Area Engineer
Federal Highway Administration
711 South Capitol Way, Suite 501
Olympia, Washington 98501

Mr. Brenden Clarke, Project Engineer
Washington State Department of Transportation
P.O. Box 47440
Olympia, Washington 98504-7440

Re: SR 167 Puyallup to SR 509 – SR 167 Puyallup River Bridge Replacement Draft Supplemental Environmental Impact Statement (EPA Region 10 Project number: 93-025-FHW).

Dear Mr. Moberg and Mr. Clarke:

The U.S. Environmental Protection Agency has reviewed the SR 167 Puyallup River Bridge Replacement Supplemental Environmental Impact Statement. We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. Thank you for involving us in the review process.

The SR 167 Puyallup River Bridge Replacement project is a small phase of the larger SR 167 Puyallup to SR 509 extension project, for which a Record of Decision was signed in October, 2007. This phase is a proposal to construct bridges and a roadway profile compatible with the SR 167, Puyallup to SR 509 extension. The current northbound and now historic steel truss Meridian Street Bridge, constructed in 1925, would be replaced with a new concrete bridge on the west side of the existing southbound bridge for southbound traffic. The deck of the existing southbound concrete bridge would be modified to handle northbound traffic. The historic bridge would be dismantled and preserved offsite for potential future use.

Based on the information provided, we are rating the Draft SEIS as EC-2, Environmental Concerns, Insufficient Information. An explanation of the EPA rating system is enclosed with this letter. The Draft SEIS for the Puyallup River Bridge Replacement indicates that the findings in the SR 167 Puyallup to SR 509 Final EIS are unchanged except for issues pertaining to historic resources, water quality, fish, and traffic. Our comments, concerns and recommendations regarding these subject areas, and additional project-related issues, are provided below:

Historic Resources

Historic resources are well addressed in the Draft SEIS with the Historic Inventory Report and the specific discussion of the historic Meridian Street Bridge. We acknowledge the need for the proposed bridge replacement and support the search for a beneficial use of the historic bridge structure.

Water Resources

We commend WSDOT and FHWA for the proposed design changes to the bridge replacement proposal. Based on the brief discussion in the Draft SEIS, it appears that effects to water resources with the current proposed bridge replacement would be less than with the bridge replacement as proposed in the 2006 FEIS. However, the Draft SEIS includes no information regarding the downstream location for shifting the Puyallup River crossing, and does not provide any discussion of the anticipated changes in effects to water resources.

Recommendation:

In the Final SEIS, discuss whether there are any differences in the quality or sensitivity of water resources/aquatic habitat at the revised location 100 feet downstream. Discuss or estimate the changes in effects to water resources from the revised proposal.

Stormwater. The draft SEIS states (Appendix C, p. 3) that a stormwater analysis will be conducted as plans develop and that enhanced best management practices would be used to meet or exceed specifications in the Biological Opinion.

Recommendation:

In the Final SEIS, provide more information regarding stormwater management and its effects on water quality and threatened fish species.

Climate Change. The Draft SEIS does not address climate change and whether the bridge would be designed to accommodate changes in hydrology or other events that may result from climate change.

Recommendation:

Discuss any design changes or adaptations to climate change in the Final SEIS.

Threatened Fish Species

Two more species of fish have become listed as threatened under the federal Endangered Species Act since the SR 167 Final EIS was issued in 2006. They include Puget Sound steelhead and the Southern Distinct Population Segment of Pacific eulachon. WSDOT states (Appendix C, page 8) that Pacific eulachon use of the Puyallup River and other water bodies in the action area is "discountable" and that there would be no effect on eulachon critical habitat. We are concerned that there is little information presented in the Draft SEIS to support this conclusion.

Recommendation:

In the Final SEIS, provide more information regarding the historic and current use of the Puyallup River watershed by Pacific eulachon, a more complete basis for discounting its presence if that is appropriate, and the type and location of designated critical habitat for the southern distinct population segment. Include the updated Biological Opinion as an Appendix.

Tribal Treaty Rights

The Draft SEIS (p. 46) indicates the concerns of the Puyallup Tribe include possible impacts to fish habitat, tribal fishing during project construction, and potential impacts to native archaeological sites. There is no information in the Draft SEIS to determine whether or not their concerns have been addressed.

Recommendation:

In the Final SEIS, discuss how the Tribe's concerns are to be addressed and how the full SR 167 Puyallup to SR 509 project would respond to Treaty Rights at Risk, <http://treatyrightsatrisk.org/>.

Traffic

The May, 2012 WSDOT update of the project traffic analysis found that the new projected volumes to year 2035 are lower than what was predicted in the 2008 analysis. (Draft SEIS p. 44; Appendix A, Tech memo). While the new proposed bridge replacement would not negatively affect traffic volumes, the Draft SEIS provides no assessment of positive effects and whether the project design capacity could or should be reduced.

Recommendation:

In the Final SEIS, address potential effects of lower traffic projections to project design capacity.

Air Quality -- Construction Mitigation Measures

We appreciate that the SEIS mitigation commitments for air quality include measures to address fugitive dust and engine idling. We encourage WSDOT to further refine and augment the construction mitigation measures to include a full suite of strategies to prevent pollution.

Recommendations:

- In order to prevent pollution to soil, surface water, ground water, habitats and biota, use water, rather than oil or chemical suppressants, to control dust.
- In addition to residences, hospitals, and schools, other sensitive receptor locations that should be avoided when locating construction equipment and staging areas include daycare centers, senior centers, parks and other outdoor recreation areas.
- For mitigation measure 1861, consider establishing a time limit after which idling equipment and vehicles should be shut off (such as 5 minutes).
- To further reduce diesel emissions from construction vehicles and equipment, see the EPA Clean Construction website at <http://www.epa.gov/otaq/diesel/construction/> for many examples of construction mitigation measures, case studies, and examples of institutional arrangements for implementing this mitigation.

Wildlife

The riparian corridor of the Puyallup River is important for wildlife use and movement. The Draft SEIS does not indicate whether the new bridge span and design would provide ample room, both horizontally and vertically, to ensure safe passage for terrestrial wildlife species under the bridge.

Recommendation:

Address this issue in the Final SEIS. Work with state and federal wildlife biologists to ensure the new bridge design, and full project build-out, would provide safe passage for wildlife that is suitable for low and high mobility species.

Construction of a new bridge, particularly over water and within an agricultural community, affords an ideal opportunity to provide bat habitat. For little or no cost, WSDOT could incorporate bat roosting habitat in the bridge design, which would be an aid to farmers and to the environment.

Recommendation:

Design and construct the new bridge to include bat roosting habitat. Visit <http://www.batcon.org/pdfs/bridges/BatsBridges2.pdf> and/or consult with Bat Conservation International for effective design information.

Thank you for the opportunity to provide comments on the SR 167 Puyallup River Bridge Replacement. If you have questions or would like to discuss these comments, please contact me at (206) 553-1601 or via electronic mail at reichgott.christine@epa.gov, or you may contact Elaine Somers of my staff at (206) 553-2966 or via electronic mail at somers.elaine@epa.gov.

Sincerely,



Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.